G. R. S. IX-5]

Previous references.

Reserve

1919-20.

(Cb)

File No. 29-C9

Serial Nos. 1-2

Later references.

GENERAL AND REVENUE SECRETARIAT.

✓

Serial Nos. 200

Part B for August C9.

SUBJECT.

Amendment to Rule of Practice No 86
dy 12th April C913.

Secy to the Registrar
Chief Court
No C 4458 dy 22.8-C9.
Approves the Amendment (All)

Cus

W D 1250—GPB—30,000—28-1-19

261 (1

G. R. S. III—1] 1919.

GENERAL AND REVENUE SECRETARIAT.

(C5)

NOTES.

File No. 29-19

FILE HEADING.

Addendum to Rule of Practice No 86 dated 12th April 1913

From

The Registrar Civil Court of Diu

No. R.O.C No 516/17-18 Dated 31.7.19 Received 2.8.19

Diary No. 2261	Enclos. - Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards the draft of an addendum to Rule of Practice No 86 dated 12.4.13 giving effect to the system of destroying after 20 yrs from the date of their disposal old judicial Records

S

NOTES AND ORDERS.

requests that the same may be sanctioned

Rules & orders.

1) Submitted for orders with a draft

2) Submd for appl

D. M. 6/8

1/47 12.8.19

Asst 7/8 3) II Member

D. M. 6/8

Notes—First Sheet.

13/8 James D.M. 12/8

PROTECTION GRATION. 20 AUG 1919

The Registrar Civil Court 25-9-4468 & 22-8-19

Approves the Amendment

226(2)

Chief Court of Mysore,

R.O.C.NO.512/17-18. Bangalore, dated the 28th July 1919.

From

G. Sreenivasa Iyer, Esq., B.A., M.L.,

Registrar of the Chief Court of Mysore,

Bangalore.

To

C. S. Balasundram Iyer, Esq., B.A.

Chief Secretary to Government of Mysore,

Bangalore.

Sir,

I am directed to state that the District Magistrate of Chitaldrug represents that a number of old judicial records from the year 1864 are preserved in the record branch of his court on the ground that they may be required to prove previous convictions of offenders and that as the addresses of the accused persons in those cases are traceable neither from the records preserved nor from the registers to ascertain whether they are now alive or not, there is not much use in preserving them. Since the note to the proviso to Appendix I of the Record Rules, Criminal Rule of Practice No. 86 dated the 12th April 1913 requires that the records should be preserved till all the persons concerned in those cases are known to be dead, he suggests an amendment to the Record Rules by doing away with the third proviso to Appendix I, the records of the cases mentioned therein being ordered to be destroyed after 30 years from the date of their disposal.

The majority of the other District Magistrates who were consulted in the matter are also in favour of the amendment.

The

The Judges consider that the old records of cases lodged in the District Magistrates' courts do not seem to be of any great use for the purpose of proof of conviction beyond a period of twenty years from the date of their disposal and that the rule may, so far as magistrates' courts are concerned, be altered on the ground that if after 20 years there are long sentences against any man who is a habitual offender and who ought to be punished under section 75, Indian Penal Code, some of those sentences are ~~soon~~ sure to be found recorded in courts of session.

I am to forward the accompanying draft of an addendum to Rule of Practice No.86 dated 12th April 1913 giving effect to the alteration proposed and to request the sanction of Government for the same under section 554 of the Criminal Procedure Code.

I have the honour to be,

S i r,

Your most obedient servant,

L Srinivasa Iyer

R e g i s t r a r.

Tks.

G.R.S. VI-71]

SUBJECT Amendment to Criminal Rule of Practice no 86 D/12-4-1913

Diary No. of letter replied to

Section Cons
File No. 29-19
Serial No. 72

General and Revenue Secretariat

Proceedings of the Government of His Highness the Maharaja of Mysore.

the 191

Read—

Date of issue 22/8/19

Signed by

dated 31.7.19 from the Registrar of the Civil court of Nilgiris forwarding the draft of an addendum to Rule of Practice no 86 dated 12th April 1913 in regard to the period of preservation of records of magisterial cases intended to prove the previous convictions of offenders.

May this be

i Printed ?

treated as a standing order ?

published in the Gazette, English Part ?

translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Order ~~Thereon~~—No. 44586

Govt. are pleased to approve of the proposed amendment and accordingly direct that the Rules of Practice

P.T.O.

It is desired as hereunder
the following note be added to
~~below~~ ~~Rule~~ proviso 3 to Appendix I
of the said Rule of Practice:—

"Note:" In magisterial cases such
papers shall be destroyed
after the expiry of twenty
years from the date of
their final disposal."

W.S.

D. 10/10/18

For Chief Secy to Govt

To 64457
The Registrar, Civil Court of Kingstone, ~~Bridgetown~~.
under a covering letter

List of enclosures.

Pola
6/8
Pol
7/8

Copied by

Examined by

WD 1744—GPB -30,000—17-3 19